

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

KENNETH HUGHLON,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 20-cv-829
)	
GLEN REEVES)	
)	
And)	
)	
OLD DOMINION FREIGHT LINE, INC.,)	
)	
Defendants.)	

NOTICE OF REMOVAL

To: The Honorable Judges for the United States District Court
For the Western District of Missouri, and

Clerk of the Circuit Court of Jackson County, Missouri at Kansas City

COME NOW defendants Old Dominion Freight Line, Inc. (“ODFL”) and Glen Reeves, by and through their attorneys of record, Baker Sterchi Cowden & Rice, LLC, of Kansas City, Missouri, and pursuant to 28 U.S.C. §§1441 and 1446, remove this action from the Circuit Court of Jackson County, Missouri at Kansas City, to the United States District Court for the Western District of Missouri, Western Division.

As grounds for this removal, defendants state the following:

1. This is an action in which the District Courts of the United States have been given original jurisdiction under the provisions of 28 U.S.C. §1332, in that diversity of citizenship exists between plaintiff and defendants, and the amount in controversy, upon information and belief, exceeds the sum of Seventy-Five Thousand Dollars (\$75,000) exclusive of interests and costs.

2. On June 9, 2020, Plaintiff Kenneth Hughlon filed a Petition in the Circuit Court for Jackson County, Missouri, captioned *Kenneth Hughlon v. Glen Reeves and Old Dominion Freight Line, Inc.*, Case No. 2016-CV12916 (the “State Court Action”).

3. Old Dominion Freight Line, Inc. was purportedly served in the State Court Action on September 25, 2020. This Notice is filed within less than 30 days after alleged service upon this defendant.

4. Defendant Glen Reeves was served in the State Court Action on September 16, 2020. This Notice is filed within less than 30 days after service upon this defendant.

5. Based on the Petition filed by plaintiff, defendants reasonably believe and state that plaintiff is now, and was at the time of the commencement of this action, a resident and citizen of the State of Missouri. See Petition, Exhibit A.¶ 1.

6. Old Dominion Freight Line, Inc. is now and was at the time of the commencement of this action, a corporation organized in the state of Virginia with its principal place of business in North Carolina.

7. Defendant Glen Reeves is now and was at the time of the commencement of this action, a citizen and resident of the state of Kansas.

8. The amount in controversy regarding plaintiff’s claims for damages is specifically pled in plaintiff’s Petition as being in excess of \$75,000.00, and, therefore, the amount in controversy requirement of 28 U.S.C. § 1332(a) is satisfied.

9. The United States District Court for the Western District of Missouri, Western Division is the appropriate court for filing a Notice of Removal from the Circuit Court of Jackson County, Missouri, where the action is pending. Accordingly, defendants ODFL and

Reeves seek to remove this action to the United States District Court for the Western District of Missouri, Western Division.

10. Pursuant to 28 U.S.C. §1446(a), copies of all pleadings, process and orders served upon these defendants in this action are attached hereto and marked as Exhibit A.

11. Pursuant to 28 U.S.C. §1446(d), defendants have served a copy of this Notice of Removal upon all adverse parties contemporaneously with the filing of this Notice of Removal.

12. Pursuant to 28 U.S.C. §1446(d), defendants have served a copy of this Notice of Removal on the Clerk of the Circuit Court of Jackson County, Missouri.

13. Pursuant to U.S.C. §1411(a), defendants ODFL and Reeves hereby demand a trial by jury on all issues so triable.

WHEREFORE, defendants Old Dominion Freight Line, Inc. and Glen Reeves remove this action from the Circuit Court of Jackson County, Missouri, to the United States District Court for the Western District of Missouri, Western Division.

Respectfully Submitted,

BAKER STERCHI COWDEN & RICE, LLC

/s/ Shawn M. Rogers

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ATTORNEYS FOR DEFENDANTS

OLD DOMINION FREIGHT LINE, INC.

AND GLEN REEVES

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of October, 2020, a copy of the foregoing was electronically filed using the Court's CM/ECF system, and served electronically and/or by U.S. Mail, postage prepaid, to the following counsel of record:

Michael J. Wyatt
Jesse Tanksley
Mann Wyatt & Rice, LLC
435 Nichols Road, Suite 200
Kansas City, MO 64112
ATTORNEYS FOR PLAINTIFF
KENNETH HUGHLON

/s/ Shawn M. Rogers